



House of Representatives

File No. 724

General Assembly

February Session, 2016

(Reprint of File No. 150)

House Bill No. 5438
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 25, 2016

AN ACT DELETING OBSOLETE STATUTORY PROVISIONS CONCERNING WORKSHOPS FOR PEOPLE WITH DISABILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-656 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 Whenever any products made or manufactured by or services
4 provided by persons with disabilities through community
5 rehabilitation programs [described in subsection (b) of section 17b-655]
6 or in any workshop established, operated or funded by nonprofit and
7 nonsectarian organizations for the purpose of providing persons with
8 disabilities training and employment suited to their abilities meet the
9 requirements of any department, institution or agency supported in
10 whole or in part by the state as to quantity, quality and price such
11 products shall have preference over products or services from other
12 providers, except (1) articles produced or manufactured by
13 Department of Correction industries as provided in section 18-88, (2)
14 emergency purchases made under section 4-98, and (3) janitorial or

15 contractual services provided by a qualified partnership, pursuant to
16 the provisions of subsections (b) to (d), inclusive, of section 4a-82. [All
17 departments, institutions and agencies supported in whole or in part
18 by the state shall purchase such articles made or manufactured and
19 services provided by persons with disabilities from the Department of
20 Rehabilitation Services. Any political subdivision of the state may
21 purchase such articles and services through the Department of
22 Rehabilitation Services.] A list describing styles, designs, sizes and
23 varieties of all such articles made by persons with disabilities and
24 describing all available services provided by such persons shall be
25 prepared by the Connecticut Community Providers Association.

26 Sec. 2. Subsection (d) of section 10-295 of the 2016 supplement to the
27 general statutes is repealed and the following is substituted in lieu
28 thereof (*Effective October 1, 2016*):

29 (d) The Commissioner of Rehabilitation Services may expend up to
30 ten thousand dollars per fiscal year per person twenty-one years of age
31 or over who is both blind or visually impaired and deaf, in addition to
32 any other expenditures for such person, for the purpose of providing
33 community inclusion services through specialized public and private
34 entities from which such person can benefit. The commissioner may
35 determine the criteria by which a person is eligible to receive
36 specialized services and may adopt regulations necessary to carry out
37 the provisions of this subsection. For purposes of this subsection,
38 "community inclusion services" means the assistance provided to
39 persons with disabilities to enable them to connect with their peers
40 without disabilities and with the community at large.

41 Sec. 3. Section 46a-33b of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2016*):

43 Upon the request of any person or any public or private entity, the
44 Department of Rehabilitation Services shall provide interpreting
45 services to assist such person or entity to the extent such persons who
46 provide interpreting services are available. Any person or entity

47 receiving interpreting services through the department shall reimburse
48 the department for such services at a rate set by the Commissioner of
49 Rehabilitation Services. The commissioner [shall] may adopt
50 regulations in accordance with the provisions of chapter 54 to establish
51 the manner of rate setting.

52 Sec. 4. Section 17b-650 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2016*):

54 As used in this section and sections [17b-650] 17b-650a to 17b-663,
55 inclusive; [, and sections 10-298b and 10-298c:]

56 (1) "Person with a disability" means any individual with a disability,
57 excluding blindness, as such term is applied to Title I of the
58 Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time
59 to time;

60 (2) "Vocational rehabilitation service" means any goods and services
61 necessary to render a person with a disability employable, in
62 accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et
63 seq., as amended from time to time;

64 (3) "Community rehabilitation program" means a program that
65 provides directly for or facilitates the provision of vocational
66 rehabilitation services to persons with disabilities, as defined in the
67 Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time
68 to time;

69 (4) "Products are made or manufactured by or services are provided
70 by persons with disabilities" if not less than seventy-five per cent of the
71 hours of direct labor required for such products or services are
72 performed by persons with disabilities.

73 Sec. 5. Section 10-309 of the general statutes is repealed and the
74 following is substituted in lieu thereof (*Effective October 1, 2016*):

75 The Department of Rehabilitation Services may place in
76 remunerative occupations persons whose capacity to earn a living has

77 been lost or impaired by lessened visual acuity and who, in the
 78 opinion of the Commissioner of Rehabilitation Services, are susceptible
 79 of placement, and may make such regulations as are necessary for the
 80 administration of the provisions of this section and sections 10-306 to
 81 [10-310] 10-308a, inclusive.

82 Sec. 6. Subsection (e) of section 5-259 of the 2016 supplement to the
 83 general statutes is repealed and the following is substituted in lieu
 84 thereof (*Effective October 1, 2016*):

85 (e) Notwithstanding the provisions of subsection (a) of this section,
 86 [(1)] vending stand operators eligible for membership in the state
 87 employees' retirement system pursuant to section 5-175a shall be
 88 eligible for coverage under the group hospitalization and medical and
 89 surgical insurance plans procured under this section, provided the cost
 90 for such operators' insurance coverage shall be paid by the Department
 91 of Rehabilitation Services from vending machine income pursuant to
 92 section 10-303. [, and (2) blind persons employed in workshops,
 93 established pursuant to section 10-298a, on December 31, 2002, shall be
 94 eligible for coverage under the group hospitalization and medical and
 95 surgical insurance plans procured under this section, provided the cost
 96 for such persons' insurance coverage shall be paid by the Department
 97 of Rehabilitation Services.]

98 Sec. 7. Sections 10-298a, 10-298b, 10-298c, 10-298d, 10-300, 10-300a,
 99 10-304 and 10-310 of the general statutes are repealed. (*Effective October*
 100 *1, 2016*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	17b-656
Sec. 2	<i>October 1, 2016</i>	10-295(d)
Sec. 3	<i>October 1, 2016</i>	46a-33b
Sec. 4	<i>October 1, 2016</i>	17b-650
Sec. 5	<i>October 1, 2016</i>	10-309
Sec. 6	<i>October 1, 2016</i>	5-259(e)

Sec. 7	<i>October 1, 2016</i>	Repealer section
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$
Rehabilitation Services, Dept.	GF - Savings	183,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill eliminates state employee health insurance coverage for former members of Board of Education Services for the Blind workshops. This implements a provision in sHB 5044 "An Act Making Adjustments to the State Expenditures for the Fiscal Year Ending June 30, 2017" that reduces costs to the Department of Rehabilitation Services by \$183,000 in FY 17.

The bill also deletes obsolete language regarding Bureau of Education and Services for the Blind workshops¹ and makes various clarifying and conforming changes which have no fiscal impact.

House "A" eliminates state employee health insurance coverage for former members of Board of Education Services for the Blind workshops and results in the fiscal impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ Workshops ended operations in 2003.

OLR Bill Analysis**HB 5438 (as amended by House "A")******AN ACT DELETING OBSOLETE STATUTORY PROVISIONS
CONCERNING WORKSHOPS FOR PEOPLE WITH DISABILITIES.*****SUMMARY:**

This bill makes the following changes in statutes concerning the Department of Rehabilitation Services' (DORS) programs:

1. eliminates DORS workshops for blind people (DORS has not operated the workshops since 2003),
2. eliminates eligibility for state employee health insurance coverage for blind individuals formerly employed in DORS workshops,
3. eliminates labeling and registering requirements for certain goods made by blind people, and
4. eliminates a requirement that entities supported in whole or part by the state that purchase products or services provided by persons with disabilities (excluding blindness) do so through DORS.

By law, DORS may expend up to \$10,000 per fiscal year per person for services for individuals who are over age 21, blind or visually impaired, and deaf. The bill specifies that services provided through this expenditure are community inclusion services, conforming to agency practice. Under the bill, "community inclusion services" assist people with disabilities to connect with their peers without disabilities and with the community.

The bill also allows, rather than requires, DORS to adopt regulations

to establish reimbursement rates for people or entities receiving interpreting services for people who are deaf or hard of hearing.

*House Amendment "A" eliminates eligibility for state employee health insurance coverage for blind individuals formerly employed in DORS workshops.

EFFECTIVE DATE: October 1, 2016

DORS WORKSHOPS FOR THE BLIND

The bill removes provisions allowing DORS, within available appropriations, to maintain and develop workshops to train and employ blind people to provide services and produce products used by state agencies and departments and municipalities. (According to DORS, the agency has not operated such workshops since 2003.) It removes the following related requirements:

1. that (a) products and services provided by such workshops receive preference for state agency and department purchasing, with certain exceptions; and (b) such products are exempt from license requirements and fees, as are those produced by the Connecticut Institute for the Blind;
2. that DORS (a) distribute a catalog describing workshop products and services and (b) maintain a sales and service account as a separate account within the General Fund to deposit money DORS receives through the workshops and make related payments;
3. that the administrative services commissioner establish prices for all workshop products and services, determine whether they meet standards of state agencies, departments, and institutions, and authorize such state entities to purchase them necessary; and
4. that those who violate workshop purchasing requirements be reported to the governor who may take any action deemed

necessary.

The bill also removes a provision allowing DORS, within available appropriations, to fund employment and vocational training at community rehabilitation facilities. By law, unaffected by the bill, DORS may establish, operate, foster, and promote the establishment of rehabilitation facilities and make grants to various organizations to do so.

For blind people formerly employed in DORS workshops on December 31, 2002, the bill eliminates eligibility for coverage under the state's group health insurance plan for state employees. Under current law, DORS pays for the cost of providing coverage for such individuals under the state employee plan.

LABELING GOODS PRODUCED BY THE BLIND

The bill eliminates a prohibition on labeling, representing, or designating goods as having been manufactured by any blind person or entity serving the blind unless at least 75% of the total hours of labor used to produce the goods were rendered by blind individuals. The bill eliminates related provisions that:

1. require any person, institute, agency, or nonprofit corporation that manufactures or produces goods meeting the labeling requirement to register with DORS annually; and
2. establish a penalty of not more than \$100 for anyone violating labeling and registering provisions.

GOODS AND SERVICES PROVIDED BY PEOPLE WITH DISABILITIES

By law, and with certain exceptions, any department, institution, or agency supported by the state must give preference in purchasing to goods and services that (1) are produced by individuals with disabilities (excluding blindness) through community rehabilitation programs or workshops established, operated, or funded by nonprofit and nonsectarian organizations and (2) meet quality, quantity, and

price requirements. The bill removes the requirement that such purchases be from DORS. (Presumably, purchases could be made from the workshops or programs.)

BACKGROUND

Related Bill

sSB 17 (File 426), favorably reported by the Human Services Committee, also eliminates eligibility for state employee health insurance coverage for blind individuals formerly employed in DORS workshops.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 16 Nay 0 (03/10/2016)